



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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OCT 23 2008

Ref: EPR-N

Cam Hooley, Project Leader
Columbine Ranger District
P.O. Box 439
367 S. Pearl St.
Bayfield CO 81122

Re: Hermosa Landscape Grazing Analysis
Draft Environmental Impact Statement
CEQ # 20080397

Dear Ms. Hooley:

The U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Hermosa Landscape Grazing Analysis Draft Environmental Impact Statement (DEIS). Our comments are provided in accordance with our authorities under the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C) and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. The U.S. Forest Service proposes to continue to authorize livestock grazing on all or portions of the Hermosa Landscape. The Hermosa Landscape analysis area encompasses approximately 122,000 acres and is located north of Durango, Colorado, in San Juan and La Plata Counties. The preferred alternative, Alternative 3, would employ an adaptive management approach, using a variety of structural, non-structural and managerial actions including closing two allotments and designating one allotment for emergency cattle use only.

The DEIS is well-organized and thorough, with a clearly presented comparative analysis of the preferred alternative (adaptive management), no-action alternative, and the current management alternative. EPA commends the highly descriptive, qualitative presentation of the condition of the affected allotments and impacts on the affected environment. EPA's main concerns stem from the adequacy of the commitment to adaptive management monitoring and the lack of water quality information.

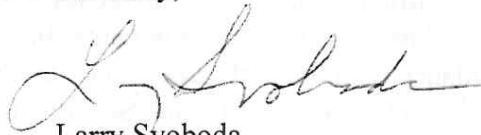
As mentioned in the attached detailed comments, EPA is concerned with the DEIS's lack of detailed allotment-specific monitoring and mitigation plans including decision trees with identified trigger points for action. This is especially true for the Cascade Reservoir allotment that the Forest Service proposes to designate as emergency cattle use only. EPA is also concerned that the DEIS lacks water quality data and that Proper Functioning Condition (PFC) Assessments are being used as replacements for riparian area monitoring protocols. This

concerns EPA because using PFC Assessments does not allow us to know the true current condition of resources. Additionally, EPA is concerned because the proposed enclosure and pasture fence would not protect all the riparian areas that are currently classified as at-risk. In general, EPA believes that the DEIS does not completely and adequately show how the Forest Service's Preferred Alternative 3 would ensure a continuation of livestock grazing in an environmentally acceptable manner.

Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and alternatives in an EIS, EPA rates this DEIS as EC-2 (Environmental Concerns-Insufficient Information). The "EC" rating indicates that EPA's review has identified environmental impacts that should be avoided in order to fully protect the environment. The "2" rating indicates that EPA has identified additional information, data, analyses or discussion that should be included in the Final EIS. A full description of EPA's rating criteria is enclosed.

Enclosed are EPA's detailed comments. These comments are intended to help ensure a comprehensive assessment of the project's environmental impacts, adequate public disclosure and an informed alternative selection process. If you have any questions regarding our comments on the DEIS, please do not hesitate to call me at 303-312-6004 or Rachel Eichelberger of my staff at 303-312-6008.

Sincerely,



Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Restoration

Enclosure

Detailed Comments

- Table 1-1 (page 11) mentions that one adaptive management measure that would be taken under Alternative 3 would be constructing a riparian enclosure in Upper Dutch Creek. Please clarify whether this enclosure would encompass the Proper Functioning Condition (PFC) designated non-functional Beer Keg area of Dutch Creek.
- The DEIS mentions on pages 22-23 that annual monitoring will be used as part of a dynamic cyclic process and results will be used to make adjustments to the following year Annual Operating Instructions. Factors such as pasture rotations, number of cattle grazed, and season of use can be adjusted if the allotment is deemed in unsatisfactory condition. EPA suggests defined trigger points be identified for each allotment and that the Final EIS include a decision tree with those defined trigger points, a commitment to monitoring, and specific proposed mitigation plans.
- EPA believes that the riparian area monitoring section on page 24 is incomplete. Under the preferred alternative, riparian areas would only be monitored at Key Areas every five years, and there is no mention of collecting water quality data even at that interval, despite a brief discussion of the existence of water quality impacts (increased turbidity, temperature, and fecal coliform contamination) due to grazing elsewhere in the DEIS. EPA suggests including water quality monitoring in the overall monitoring protocol.
- Under Table 2-3 (page 26) second row, fourth column (Season of Use/Alternative 3), the DEIS states that the seasons of use would be shortened to lessen the impacts on the resources. However, below that it states the grazing season will be “no earlier than June 1 and no later than Oct. 30.” Please explain this apparent inconsistency, since the current grazing season is no earlier than June 6 and no later than October 15.
- On page 28, the Forebay Allotment is mentioned briefly and the DEIS states “The justifications given for the closure at that time are still valid today (Johnson 1995).” Please give a brief description or listing of those justifications.
- Under Section 3.1.1, Kentucky bluegrass mountain grasslands (pages 31-32), the DEIS states that “cattle primarily graze graminoids ... including the Kentucky bluegrass in this project area ... as Kentucky bluegrass is highly palatable and nutritious to cattle.” However, the DEIS also states that one of the problems caused by cattle is an increase in non-native Kentucky bluegrass, leading to increased erosion and decreased bank stabilization in riparian areas. Please explain this apparent contradiction.
- The preferred alternative includes a provision to leave the Cascade Reservoir allotment open but vacant to be used in an emergency such as fire or localized drought. On page 38, the EIS states that, if Cascade Reservoir allotment was used in the event of an emergency situation, it would be closely monitored to prevent unacceptable impacts to vegetation. The Final should determine specific trigger points that would constitute unacceptable impacts as well as identify resources that would be committed to

monitoring.

- The DEIS includes a discussion about the impacts of grazing on water quality, stating that grazing may cause “increased turbidity, higher water temperatures, and increases in fecal coliform” (page 63) and that “portions of some streams and upland areas are in a degraded condition” (page 51). EPA recommends the inclusion of water quality data for a more robust analysis. This data could then be compared with data from the water quality monitoring suggested in an above comment as one measure of tracking the efficacy of the adaptive management approach. This is especially important since the state of Colorado includes Hermosa Creek (except East Fork) on its Outstanding Waters list, meaning no degradation by regulated activities is allowed.
- The DEIS uses Proper Functioning Condition (PFC) monitoring to describe the study area’s riparian condition in section 3.3.1 (pages 42-44). EPA is concerned that PFC Assessments are being used as replacements for inventory and monitoring protocols to inform about the biology of riparian areas. EPA considers PFC Assessments as a starting point for riparian area condition assessments.
- The DEIS includes a proposed Upper Dutch grazing exclosure and upper Elbert Creek pasture fence to protect some of the riparian areas that are currently classified as at-risk. The DEIS also states (page 46) that, under the proposed alternative, cattle would continue to graze and sometimes overgraze forage plants in the riparian areas, but that the reduced livestock intensity due to the shortened grazing season and more riders would allow forage plants to increase their abundance. EPA is not convinced this will be enough to protect these areas and recommends including more exclosures to keep cattle out of all at-risk riparian areas.
- Table 3-3 (page 71) lists the sensitive fish and wildlife species for the SJNF. For some species, such as American bald eagle, American peregrine falcon, flammulated owl, fringed myotis, etc., the DEIS lists “No—please see Table 9” under the Species or Habitat Impacted by Alternative 3 Proposed Action column. EPA could not find the Table 9 referenced and suspects the reference is for Table 3-4. If so, please change the reference.
- Under section 3.10.2, Alternative 2—Current Management, black bear (page 87), the DEIS states that “continuing to graze ... would perpetuate the condition of riparian zones being in a degraded condition and some uplands showing less than their potential to produce forage. Although degraded, the amount of habitat would largely remain unchanged only the quality of existing habitat would improve.” Please explain the apparent inconsistency that the habitat would continue to be degraded but that it would improve.
- Please provide more information and explanation for the Financial Efficiency analysis (Table 3-7, page 104). EPA is unable to determine what specific factors were included in the dollar value calculation. Are monitoring costs and fence-construction costs captured? If so, by what group? It is impossible to review the analysis without more information.

In addition, EPA does not understand how the Present Net Value (PNV) for Permittees under Alternative 3 can be negative and less than the PNV for Permittees under Alternative 1 (no grazing). EPA suggests that an estimate of lost cattle productivity should be included, as this is a major negative for Permittees under the no grazing alternative and not including it skews the analysis.

